

## EASTERN DISTRICT OF TEXAS



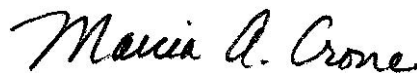
The court has conducted a *de novo* review of the objections asserted by petitioner. After careful consideration, the court is of the opinion that the objections are without merit. In support of his claims, petitioner cites *Bond v. United States*, \_\_\_ U.S. \_\_\_, 131 S.Ct. 2355 (2011). In *Bond*, the Supreme Court held that a person convicted of a federal offense had standing to assert that Congress exceeded its powers under the Tenth Amendment in enacting a criminal statute. However, the decision in *Bond* did not invalidate the federal statutes petitioner was convicted of violating. *Blodgett v. Martin*, 2011 WL 6187097 at \*1 (5th Cir. Dec. 14, 2011) (unpublished).

Petitioner also asserts that the writ of habeas corpus has been improperly suspended if relief is not available to him under 28 U.S.C. § 2255 or § 2241. However, this claim is without merit because the savings clause under § 2255 does not violate the Suspension Clause of the United States Constitution. *Wesson v. U.S. Penitentiary, Beaumont*, 305 F.3d 343, 346-47 (5th Cir. 2002).

**ORDER**

Accordingly, petitioner's objections are **OVERRULED**. The findings of fact and conclusions of law of the magistrate judge are correct, and the report of the magistrate judge is **ADOPTED**. A final judgment shall be entered dismissing the petition.

SIGNED at Sherman, Texas, this 7th day of February, 2012.

A handwritten signature in cursive script, reading "Marcia A. Crone".

---

MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE